

# **Red Cliff Band of Lake Superior Chippewas**

## **REGULAR COUNCIL MEETING**

November 5, 2012

4:30 p.m. Legendary Waters Buffalo Bay Grand Ballroom

Meeting called to order at 4:30 p.m. by Nathan Gordon, Vice Chairman.

### **ROLL CALL:**

Rose Soulier, Absent – (sick)

Nathan Gordon, Present

Laura Gordon, Present

Dennis Soulier, Present

Mike Gurnoe, Absent – (sick)

Joanne Peterson, Present

Bryan Bainbridge, Present

Jeanne Gordon, Present

Marvin Defoe, Present

Quorum

In attendance: David Ujke, Tribal Attorney, Mark Montano, Director of Tribal Operations and community members.

### **OPENING CEREMONY**

Opening ceremony performed by Frank Montano.

### **AGENDA**

Remove #6 “Legendary Waters Policies Chapters 6-10”, Remove #10 ‘Approval of Legendary Waters Resort and Casino Operating Budget’, After Leases add Rick Peterson request and also add Casino Discussion in Executive Session.

Dennis Soulier moved to approve the agenda with changes. Seconded by Bryan Bainbridge. Motion carried.

### **MINUTES**

Marvin Defoe moved to approve the minutes of September 18, 2012 with corrections. Seconded by Dennis Soulier. Motion carried.

Jeanne Gordon moved to approve the minutes of September 25, 2012 with corrections. Seconded by Joanne Peterson. Motion carried.

Jeanne Gordon moved to approve the minutes of October 1, 2012 with corrections. Seconded by Laura J. Gordon. Motion carried.

Jeanne Gordon moved to approve the minutes of October 15, 2012. Seconded by Dennis Soulier. Motion carried.

Jeanne Gordon moved to approve the minutes of October 18, 2012 with corrections. Seconded by Laura J. Gordon. Motion carried.

## **COMMUNITY CONCERNS/ANNOUNCEMENTS**

There is a Veterans Day event on Saturday November 10, 2012 at the Memorial Park with a feast at Legendary Waters Resort and Casino.

The Elderly deer hunt will be on Wednesday, November 7, 2012.

There is a Community Dance at the Youth center dance on Saturday November 10, 2012.

Cecil Peterson expressed concerns regarding the stability of the new fishing dock. He believes the contractor used materials that may not be durable and could cause damage to occur later on. He expects the new weight limits will cause issues in fueling boats and hauling fish. He would like something to be done to strengthen the dock. Burden of fixing the dock in the future may fall on fishermen. The Vice-Chair will bring these issues to project committee.

Larry Balber asked that the committee information on the tribal website be updated and would like information regarding the Red Cliff Business Committee. He announced the blood drive on November 7, 2012 at the Bayfield School. The Vice-Chair will email him information on Red Cliff Business Committee.

## **TREASURER'S MONTHLY REPORT**

Dennis Soulier and Diane Peterson presented the Settlement Money Justification. Dennis Soulier suggested that \$100,000 be put into a CD.

Jeanne moved to authorize the \$100,000 be put into a CD (savings account). Seconded by Joanne Peterson. Discussion: May use Chippewa Valley Bank but will research best options. Motion carried.

Marvin Defoe asked for clarification on accounts payable, asks Diane Peterson to include dates that payments are being made.

Marvin Defoe moved to approve the September 2012 Treasurer's report pending the completion of the audit. Seconded by Jeanne Gordon. Motion carried.

## **OLD BUSINESS**

### **ISSUANCE OF BIG GAME HUNTING PERMITS TO NON-MEMBERS DISCUSSION-MARK DUFFY**

Mark Duffy presented five options regarding eligibility.

Marvin Defoe moved to post "option #1. Immediate family of Red Cliff Tribal Members who reside within reservation boundaries." for 30 days to allow for community input. Seconded by Bryan Bainbridge. Discussion: Mark Duffy asked to keep hunting season in mind. Joanne Peterson suggested approving Option #1 temporarily so that eligible non-members may buy permit this season, post for comments then review with legal and conservation committee.

Marvin Defoe amended motion to temporarily approve option #1 and post for 30 days. Motion carried.

Eligibility options discussed on bear hunting permits to non-members. Mark Duffy would like to open it up to other tribal members, including Bad River. The Conservation Commission should have the authority to approve written requests. Fees would be \$15 or \$20 and permits will be purchased from Red Cliff Warden's office. Discussion: Does RC have a bear management plan? Wardens monitor population by number of complaints, cannot tag them. The drugs used to sedate bears are harmful to humans. Mark Duffy will bring this issue to the newly seated Conservation Committee to discuss.

---

## **NEW BUSINESS**

### **LEASES**

Dennis Soulier moved to approve the Resolution **11/5/12A** Richard Peterson conditional voluntary cancellation for lease, seconded by Bryan Bainbridge. Motion carried.

Marvin Defoe moved to approve the Resolution **11/5/12B** to rescind Resolution No. 12/06/10C (K. Deragon), seconded by Jeanne Gordon. Motion carried.

Joanne Peterson moved to approve the Resolution **11/5/12C** to rescind Resolution 12/06/10B (R. Berglund), seconded by Jeanne Gordon. Motion carried.

Joanne Peterson moved to approve the Resolution **11/5/12D** to rescind Resolution 09/03/12B (James & Linda Shelley), seconded by Jeanne Gordon. Motion carried.

Dennis Soulier moved to approve the Resolution **11/5/12E** Lease Modification (K. Deragon), seconded by Marvin Defoe. Motion carried.

Joanne Peterson moved to approve the Resolution **11/5/12F** Lease Modification (R. Berglund), seconded by Bryan Bainbridge. Motion carried.

Marvin Defoe moved to approve the Resolution **11/5/12G** New Lease request (R. Peterson), seconded by Dennis Soulier. Motion carried.

Joanne Peterson moved to approve the Resolution **11/5/12H** New Lease request (L. Gordon), seconded by Jeanne Gordon. Motion carried.

Richard Peterson requested that he be allowed an immediate occupancy for his lease. He would like to place home on lease before winter. Rick will need to submit PAC application to Jeff Benton.

Dennis Soulier moved to approve Richard Peterson's request pending a PAC review. Seconded by Bryan Bainbridge. Motion carried.

## **RESOLUTION PERTAINING TO PUBLIC HEALTH INFRASTRUCTURE GRANT**

Marvin Defoe moved to approve the Resolution **11/02/12I** pertaining to Public Health Infrastructure Grant; Preparation for Voluntary Accreditation. Seconded by Jeanne Gordon. Motion carried.

## **REQUESTS FROM CHAD ABEL**

Discussion: On the creation of the Red Cliff Mining Task Force. The task force will consist of ten (10) members, four (4) staff, two (2) Council members, two (2) elders and two (2) community members.

Cha Abel has requested the following individuals to be on the Red Cliff Mining Task Force: Chad Abel, Jacob Maas, Melonee Montano, Sara Wroblewski, Marvin Defoe and Bryan Bainbridge and will post for two (2) elders and two (2) community members.

Dennis Soulier moved to approve the Red Cliff Mining Task Force as presented. Seconded by Joanne Peterson. Motion carried.

Dennis Soulier moved to approve the Resolution **11/5/12J** to appoint Melonee Montano and Gary Defoe to the WI Tribal Conservation Advisory Council. Seconded by Laura J. Gordon. Motion dies.

Marvin Defoe moved to approve the Resolution **11/5/12J** to appoint Chad Abel and Nathan Gordon to the WI Tribal Conservation Advisory Council as the representatives with Gary Defoe Jr. as alternate. Seconded by Bryan Bainbridge. Motion carried.

Jeanne Gordon moved to authorize Chad Abel to proceed with Travel Green WI application. Seconded by Dennis Soulier. Motion carried. (1-contrary, Marvin Defoe).

Discussion: Marvin Defoe asks for Chad Abel to research "Tribal certification" Discussion: Are Frog Bay Park donations being subject to Indirect Cost?

## **APPROVAL OF CHANGE ORDER TO WORK AGREEMENT WITH KRECH, OJARD & ASSOC (KOA)**

Jeanne Gordon moved to approve the change order to work agreement with Krech, Ojard & Assoc (KOA), and the amendment increases the agreement amount by \$3,500 from \$52,800 to \$56,300. Seconded by Laura J. Gordon. Motion carried.

## **APPROVAL OF RESOLUTION FOR RATIFYING AMENDMENTS TO THE MOU REGARDING TRIBAL USDA FOREST SERVICE RELATIONS ON NATIONAL FOREST LANDS WITHIN THE TERRITORIES**

Joanne Peterson moved to approve the Resolution **11/05/12K** pertaining to ratifying Amendments to the Memorandum of Understanding regarding Tribal USDA Forest Service Relations on National Forest Lands within the Territories Ceded in Treaties of 1836, 1837 and 1842. Seconded by Bryan Bainbridge. Motion carried.

## **CHAPTER 23 CURFEW, LOITERING AND TRESPASS**

Jeanne Gordon moved to approve Chapter 23 Curfew, Loitering and Trespass for posting. Seconded by Joanne Peterson. Motion carried.

## **APPROVAL OF AUTOMATIC ENROLLMENT APPLICATIONS**

Jeanne Gordon moved to approve the automatic enrollment for

Robert Joseph Miller, parent Dennis J. Soulier, II  
Timothy Curtiss Gordon, Jr., parent Timothy C. Gordon, Sr.  
Christian Andrew Mijen Boyd, parents Camille R. (Defoe) Boyd and Christopher D. Boyd  
Axel Jonathan Grube, parent Toni J. (Martin) Grube  
Beckett Milo Soulier, parent Leslie N. Soulier  
Adena Binesikwe Topping, parents Sierra J. Christiansen and Daniel T. Topping  
Tavis Robert Tutor, parent Tina M. (Duffy) Butterfield  
Bradum John Duffy-Gordon, parent Eric J. Gordon,

Seconded by Bryan Bainbridge. Motion carried.

## **APPOINT (2) MEMBERS TO THE JOM COMMITTEE**

Laura J. Gordon moved to appoint Jennifer Bresette as the permanent member and Elizabeth King as the alternate to the Johnson O'Malley (JOM) Committee. Seconded by Marvin Defoe. Motion carried.

## **APPOINT (2) MEMBERS TO THE CONSERVATION COMMITTEE**

Bryan Bainbridge moved to appoint Seth Morris and Nathan Morris to the Conservation Committee and to repost for one (1) more member. Seconded by Jeanne Gordon. Motion carried.

## **APPOINT (2) MEMBERS TO THE CLIMATE CHANGE COMMITTEE**

Marvin Defoe moved to appointed Linda Nguyen and Larry Deragon to the Climate Change Committee and to repost until committee is filled. Seconded by Joanne Peterson. Motion carried.

## **APPOINT MEMBERS TO THE POW-WOW COMMITTEE**

Marvin Defoe moved to appoint Sam LaGrew, Vernon Defoe and Nathan Gordon, to the Pow-Wow Committee and to repost out for four (4) more members. Seconded by Laura J. Gordon. Motion carried.

Dennis Soulier moved to appoint Larry Balber as Chairman of the Pow Wow Committee. Seconded by Joanne Peterson. Motion carried.

### **APPOINT MEMBERS TO THE UTILITIES COMMISSION**

A random draw was done to select the terms of each member. Jeanne Gordon moved to appoint Bob Bear and Mike Babineau to a 3 year term, and Ed DePerry to a 2 year term, to repost for two more members. Seconded by Joanne Peterson. Motion carried.

Dennis Soulier moved to appointed Bob Bear as the Chairman of the Utilities Commission. Seconded by Bryan Bainbridge. Motion carried.

Dennis Soulier moved to appoint Diane Defoe as the Chairperson to the Health Board. Seconded by Jeanne Gordon. Motion carried.

### **APPROVAL OF FEMA REQUESTS**

Joanne Peterson moved to rescind the July 2, 2012 action approving the Dwight Chandler, Bennett Transportation for the transportation of the 20 FEMA homes. Seconded by Laura J. Gordon. Motion carried.

Dennis Soulier moved to approve the use of Ward Construction for the transportation of the FEMA homes at the quoted price of \$6,540. Seconded by Joanne Peterson. Motion carried.

Laura J. Gordon moved to approve the use of the Isle Vista Casino site for storage of the FEMA homes. Seconded by Jeanne Gordon. Motion carried.

### **APPROVAL OF BUSINESS LICENSE FOR TROY GORDON (WATER BOTTLING FACILITY).**

EPA has submitted concerns regarding this project. Tribal Council asked that Troy Gordon work with EPA to answer questions and submit required forms as needed. He will also need to submit a business plan to the Tribal Council.

Joanne Peterson moved to support the Business License for Troy Gordon, Troy will work with the EPA Program. Seconded by Jeanne Gordon. Motion carried.

### **RATIFY COUNCIL POLL-ON POINT INSURANCE**

Laura J. Gordon moved to ratify Council Poll pertaining to approving On point Proposals for the Red Cliff Band of Lake Superior Chippewa Indians. Seconded by Jeanne Gordon. Motion carried.

### **OTHER**

George Newago asked who removed the siding from the trailer next to his house on Blueberry Road. He would like them to either finish the job or be fined for leaving the mess. He would like answers regarding his lay-off. He would like to know when he will be called back to work. His family is now uninsured.

Nathan Gordon moved to go into Executive Session. Seconded by Laura J. Gordon. Motion carried.

Dennis Soulier moved to go back into Regular Session. Seconded by Marvin Defoe. Motion carried.

Laura J. Gordon moved to hire Joe Basina, Terry Newago Jr. and George A. Newago for the Bus Operator (part time). Discussion that they go in that order. Seconded by Dennis Soulier. Motion carried.

Laura J. Gordon moved to adjourn. Seconded by Joanne Peterson. Motion carried.

Adjourned 11:38 p.m.

Respectfully Submitted:



Alana Babineau  
Recording Secretary

ATTEST:



Laura J. Gordon, Secretary  
Red Cliff Tribal Council